

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

Chapter 7

ADAM THOMAS PETERSON,

Debtor.

Case No.: 17-41167 - KHS

NOTICE OF HEARING AND VERIFIED MOTION TO DISMISS CHAPTER 7 CASE

TO: Adam T. Peterson, Debtor, and all other entities specified in Local Bankruptcy Rule 9013-3.

1. J. Richard Stermer, Trustee for the above-referenced bankruptcy case ("Trustee") moves the court for the relief requested below and gives notice of hearing .
2. The Court will hold a hearing on this Motion on **October 18, 2017, at 9:30 a.m.**, or as soon thereafter as counsel may be heard, before Chief Judge, Kathleen H. Sanberg at the United States Courthouse, in Courtroom 8 West, 8th Floor, 300 South Fourth Street, Minneapolis, MN 55415.
3. Any response to this Motion must be filed and served by delivery not later than October 13, 2017 which is five days before the time set for the hearing (including Saturdays, Sundays and holidays).

UNLESS A RESPONSE OPPOSING THE MOTION IS TIMELY FILED, THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF REQUESTED IN THIS MOTION WITHOUT A HEARING.

MOTION TO DISMISS CHAPTER 7 CASE

4. This Court has jurisdiction over this Motion pursuant to 28 U.S.C. §§ 157 and 1334, 11 U.S.C. § 707, and Local Rule 1017-2. This Motion is filed pursuant to Bankruptcy Rule 9006 and Local Bankruptcy Rule 9013-2. This is a core proceeding. The Petition commencing this Chapter 7 case was filed on April 21, 2017. The case is now pending in this Court.
5. The Meeting of Creditors was scheduled and held on June 14, 2017. The Debtor appeared with counsel, Christopher L. Paul. Subsequently the attorney filed a Motion seeking a court order allowing him to withdraw from further representation of debtor in this case. The Court granted the motion, by Docket #14.

6. The Trustee requested at the non-concluded 341 meeting and in two (2) subsequent written requests that the Debtor provide information and documentation, including Debtor's 2016 Tax Returns, among other things. See attached letters dated July 25, 2017 and August 29, 2017, marked as Exhibit A.
7. The Debtor has not responded at all to the Trustee's requests for information/documentation in this case. This has caused unreasonable delay by the Debtor that is prejudicial to the creditors.
8. That pursuant to the provisions of 11 U.S.C. § 707(a)(1), the Trustee moves the Court to issue an Order dismissing this case for unreasonable delay by the Debtor that is prejudicial to the creditors for failure to comply with the Trustee's requests for information and documentation.

WHEREFORE, the Trustee respectfully requests this court to enter an order dismissing this bankruptcy case, and for such other relief as may be just and equitable.

Dated: September 26, 2017.

Respectfully Submitted:
/s/ J. Richard Stermer

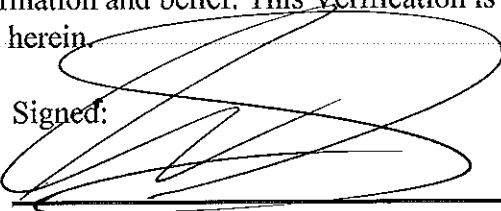
J. Richard Stermer, Trustee
Attorney ID #216811
P.O. Box 514
Montevideo, MN 56265
Telephone: (320) 269-6491

VERIFICATION

I, J. Richard Stermer, Chapter 7 Bankruptcy Trustee, the Movant named in the foregoing notice of hearing and motion, declare under penalty of perjury that the foregoing is true and correct according to the best of my knowledge, information and belief. This Verification is made in support of Movant's motion to dismiss filed herein.

Executed on: 9/26/2017

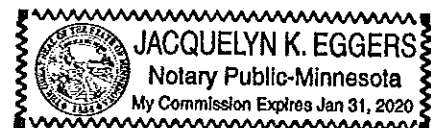
Signed:



J. Richard Stermer, Trustee

Subscribed and sworn to before
me this 26th day of September, 2017.

Jacquelyn K. Eggers
NOTARY PUBLIC



(NOTARIAL SEAL)

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UNSWORN CERTIFICATE OF SERVICE

Jacquelyn K. Eggers, employee of Stermer & Sellner, Chtd., hereby declares under penalty of perjury that on September 26, 2017, I mailed copies of the foregoing Notice of Hearing and Verified Motion to Dismiss Chapter 7 Case by first class mail, postage prepaid to the following:

See Attached Exhibit A.

Executed on: 9/26/17

/s/ Jacquelyn K. Eggers
Stermer & Sellner, Chartered
P.O. Box 514
Montevideo, MN 56265
Phone: (320) 269-6491

EXHIBIT A

ATS Auto and Truck Inc
30655 County Road 17
Melrose MN 56352-8022

CLJ Properties
30655 County Rd 17
Melrose MN 56352-8022

Creditors Service Company
PO Box 205
Perham MN 56573-0205

(p)DISCOVER FINANCIAL SERVICES LLC
PO BOX 3025
NEW ALBANY OH 43054-3025

Eckroth Music
1655 N Grandview Ln #101
Bismarck ND 58503-0877

Lakeville Family Dental Centre
16372 Kenrick Ave Ste 200
Lakeville MN 55044-3502

MESSERLI & KRAMER PA
3033 CAMPUS DR STE 250
PLYMOUTH MN 55441-2662

Michael R Vadnie
22 Wilson Ave NE
St Cloud MN 56304-0440

Minnesota Child Support Enforcement
444 LaFayette Rd N
St Paul MN 55155-3802

Minnesota Dept of Revenue
PO Box 64564
St Paul MN 55164-0564

Pennington Lies & Cherne PA
630 Roosevelt Road Suite 101
PO Box 1756
St Cloud MN 56302-1756

Sarah Elizabeth Peterson
425 N 2nd St
Melrose MN 56352

Sears/CBNA
PO Box 6282
Sioux Falls SD 57117-6282

Adam Thomas Peterson
PO Box 103
Melrose, MN 56352-0103

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ORDER OF DISMISSAL

The above captioned matter came before the Court on the Notice of Hearing and Motion To Dismiss Chapter 7 Case. Appearances were as noted upon the record.

Based upon all of the files, records and proceedings herein,

IT IS ORDERED that this case is dismissed.

Dated:

BY THE COURT:

Kathleen H. Sanberg
Chief U.S. Bankruptcy Judge